IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

S.B.CIVIL WRIT PETITION NO.5071/1998.

Pradeep Gupta. **VERSUS** State of Rajasthan & Ors.

18.09.2006.

HON'BLE MR.JUSTICE DALIP SINGH

Mr.R.K.Sharma, for the petitioner.
Mr.B.K.Sharma, Deputy Government Advocate.

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In this writ petition, the petitioner has challenged the order passed by the Collector (Stamps) dated 24.08.1998 (Annexure-7).

The respondents have raised a preliminary objection that the order passed by the Collector (Stamps) in the proceedings under Section 47-C is revisable under Section 56 read with Rule 73 of the Rules.

There being an alternative efficacious remedy available to the petitioner, this writ petition, in my view, cannot be maintained. The petitioner cannot be allowed to circumvent the procedure for the remedy provided under the statute which requires pre-deposit for entertaining the revision.

Consequently, this writ petition as well as the stay application are dismissed on the ground of alternative remedy. The petitioner is free to avail the aforesaid remedy and also pray for condonation of the delay on account of the pendency of this writ petition. The said application shall be decided in accordance with law. The petitioner is granted 30 days time to file the revision. It is ordered that till the expiry of the aforesaid 30 days, no coercive steps shall be taken against the petitioner for recovery of the amount.

(DALIP SINGH),J.

Solanki DS, Jr.P.A.